

REMARKS

Claims 7, 9-11, 14-17 and 19 are pending in this application. Claims 7, 9-11, 14-17 and 19 have been amended. No new matter has been added.

Claim Rejections under 35 U.S.C. §102

Claims 7, 9-11, 14-17 and 19 have been rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,483,649 to Kuznetsov et al. Applicants request reconsideration of the rejection for the following reasons.

Claims 7, 9-11 and 14 are the independent claims. These claims have been amended to include a computer system in the claimed combination. The computer system has a host computer and a storage system which has a first volume (storage volume) and a second volume (replicated volume), and a storage control unit for controlling data transfer from the first volume to the second volume. Further, the claimed combination of each of the independent claims includes the data protection apparatus that is coupled to the host computer and the storage system.

The Office Action alleges that Kuznetsov discloses the duplication of a primary volume (Fig. 9, item 32, which is the hard disk) to a replicated volume (Fig. 9, items 122, 126), as well as a protection-program support module 120B that protects files on a personal computer from inadvertent or intentional distortion. The first memory 122 stores the protection programs 120A. The second memory 126 is used to store the different versions of the key program, which is capable of changing the state of the PPSM 120B. *See*, col. 13, line 65 to col. 14, line 6 of Kuznetsov. The module 120B blocks access paths to a hard disk

controller 30, which controls hard disk 32, when "dangerous requests" are detected.

As noted in the Office Action, Applicants have pointed out that Kuznetsov is not directed to a computer system including a (first) storage volume assigned for storing data and a (second) replicated volume assigned for storing data duplicated from the storage volume, as in the present invention. Further, the reference does not disclose a computer system having a host computer, a storage system and a storage control unit for controlling data transfer from a first volume of the storage system to a second volume of a storage system. The items 32 and 122, 126 of Kuznetsov that are relied upon in the rejection as storage volumes are not equivalent to the claimed first and second storage volumes, particularly because memories 122, 126 do not store data received from the host computer. Further, memories 122, 126 do not constitute a volume that receives data from a first volume in a data replication process, as in the present invention. Therefore, the claimed invention is not anticipated by Kuznetsov.

In the present invention, the claimed first and second volumes have a relationship in which the data is transferred from the first volume of the first storage system to a second volume. Further, a replication stopping unit, as set forth in claims 7 and 14, stops the storage control unit from transferring data from the first volume to the second volume in the storage system when an event is detected by the event detection unit. Further, in the invention of claims 10 and 11, the storage control unit is instructed to stop data transfer from first volume to the second volume when an intrusion is detected. In each of the independent claims, therefore, the relationship between data transfer from one volume to another volume in a storage system is claimed, which is not disclosed or suggested by Kuznetsov. Accordingly, Applicants request reconsideration of the 35 U.S.C. §102(b) rejection.

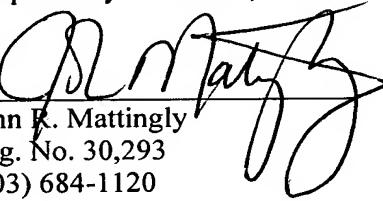
Request for Continued Examination

Since Applicants have amended the claims in response to the final rejection, a Request for Continued Examination (RCE) is submitted herewith.

Conclusion

In view of the foregoing, Applicants respectfully request that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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